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REMARKS

Claims 18, 23, 25, and 27 are currently amended. Claims 18, 25, and 27 have been amended to delete various sequences. Claim 23 has been amended to recite a crystalline protein composition formed from a  $\beta$ -secretase protein "purified to apparent homogeneity" comprising a peptide that is fewer than 460 amino acids in length, and includes an amino acid sequence that is at least 90% identical to SEQ ID NO: 43 [46-501]. The amendment to claim 23 is supported by, e.g., original claim 25. The amendments to claims 18, 23, 25, and 27 contain no new matter and have been made for purposes of expediting prosecution.

During the January 27, 2003 conversation between the Examiner and the undersigned attorney, the Examiner stated he was persuaded by Applicants' argument submitted on January 2, 2003 to rejoin restriction Groups I, II, and III. Thus, Applicant elects Group I, claims 1-53.

During the January 27, 2003 conversation between the Examiner and the undersigned attorney, the Examiner stated he had determined an addition requirement for restriction should be made, and requested Applicants elect a  $\beta$ -secretase protein. Applicants elect SEQ ID NO: 43, claims 1-4, 18-24, and 29-36, with traverse. *not 21!*

*27 and 28 are included.*

It is Applicants' position that the requirement for restriction discussed with the Examiner on January 27, 2003 is improper under MPEP § 803.4. The Office has determined that nucleic acid sequences encoding the same protein are not considered to be independent and distinct and will continue to be examined together. (See MPEP § 803.04 and Examination Guidelines of Patent Applications Containing Sequence Listings, 1192 O.G. 68 (November 19, 1996)). *Ipso facto*, amino acid sequences encoding same protein should not be considered independent and distinct and should also be examined together. All of the amino acid sequences recited in the claims currently under consideration are directed to fragments of the same protein.

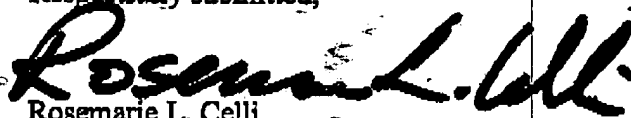
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$\beta$ -secretase. Thus, the  $\beta$ -secretase sequences recited in the claims currently under consideration should be examined together.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Rosemarie L. Celli  
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
RLC:lah  
PA 3282298 v1